

LETTER

T O

Richard Steele, Esq;

Vir bonus est quis?
Qui consulta Patrum, qui Leges, juraque servat.



L O N D O N :

Printed in the Year, 1715.

SIR,
WHEN you have read, or transcrib'd
this Book (if you think it worth the
Pains) you are desir'd to send it as private-
ly as you receiv'd it, to whom you please ;
But pray do not keep it.



LONDON
Printed in the Year 1753.

S I R,

D*Engy Hundred* is so very obscure a Place, that Mr. *Steele's Crisis*, celebrated as it is, did not reach us till the Middle of *March*. When it came to my Hands, I read it over with that Seriousness and Attention, which is due to the Importance of the Subject, and the Abilities of the Author; and now I am immoveably fix'd in my old Principles, being sure that *Cause* must be *bad*, which Mr. *Steele* is not able to defend. The way to my *Conversion*, Sir, lay so open thro' that Prepossession I had in your Favour, that had you brought but the Appearance of an *Argument* you must have affected it: For I had always a mighty esteem for your Person, an high Opinion of your Performances, and a true Sense of the Service you have done your Country in *low Life*. But I know not how it happens, in spite of my own Prepossession, and all that vast Compass of Learning you have produc'd on this Occasion, I find no Alteration in my self, but to pity you. And I am really sorry, that you, who prescrib'd *Remedys* so agreeable, and so effectual to remove the common Infirmities of Nature, should yet cherish a *Distemper* that threatens the Constitution. I could not but observe indeed, even while you were *Sowing the Wheat*, that you *had a cast of Tares* with it; but little

did I think, when you left off adjusting the petty Interests of *private Conversation*, you wou'd turn *Conjuror in Politicks*, and *Spirit* up such a *Demon*, as will require more Art and Power, than you are Master of, to *lay* again. In your *Tatler* and *Spectator* we were now and then surpriz'd with odd and unaccountable *Noises*; in your *Guardian* and *Englishman* we saw the *Apparition*; but in your *Crisis* it has broke out of the *Circle*, and is become fierce and outrageous.

Dedicat.

This *Crisis*, Sir, you Dedicate to the Clergy of the *Church of England*, and you tell 'em, *They have ty'd down their Souls by an Oath to maintain that Succession which is the Subject of it.* — I thought no Government had requir'd more than *Life and Fortune.* — Or do you think they are oblig'd to support it, Right or Wrong, merely because they have *Sworn* it? If you do, you mistake the Nature of an *Oath*, which does not oblige, purely because it is an *Oath*; but because what is sworn is *just and lawful*: otherwise *Herod* had not been to blame for cutting off the *Baptist's Head*.

*Prælec.
secunda de
juram.*

Dr. Sanderson says indeed, *habet juxamentum ex suâ Naturâ Vim obligatoriam*, but then he adds, *sed constructivam tantum, non item destructivam*: that is, an *Oath* may lay an *Obligation* where there was none before, or confirm it, where there was; but it cannot take away that which is found, nor superinduce a new *Obligation*.

Obligation destructive of the old. And the Reason is plain; for every Man's *Right* is secur'd by an *Obligation*, and whoever is bound, is bound to another: And therefore it is very unjust, that by the *Act* of one Man the *Right* of another should be destroy'd, and without his Consent too. If therefore an *Oath* be tender'd to us, which carrys any Thing in it *contrary* to our *former Obligations*, it cannot safely be taken, or if taken, it ought not to be comply'd with. How fond then are you to imagine, the *new Obligation* now laid upon the Clergy, can absolve 'em from the *old*? Many, if not most, of that learned Body took the *Oath of Allegiance*, and bound themselves by the strongest Engagements to King *James II.* and to his lawful Heirs and Successors, in Opposition to all others; and those who did not, lay under the same Obligation from the *Laws of God* and our *Country*; and if both, notwithstanding this, thro' Fear or Mistake, have come into new Measures, and tied themselves by taking an *Oath* upon the Holy Evangelists, in the most solemn Manner, before Multitudes of Fellow-Subjects and Fellow-Christians (which I hope are all one) in our publick Courts of Justice; yet does that very *Oath* bind their Consciences to *Nothing* but to *repent* and *return to their Duty*, as *St. Peter* did, after he had abjur'd his Lord: Because it is *contrary* to their *former Obligations*.

Dedicat.

Upon

Upon your Principles, I must own, they may abjure the Queen one Day, and the Illustrious the next. For if the *Original* of all Government be from *Convenience*, as you say it is, and People at first chose Kings to secure themselves from that *Confusion*, which naturally arises from *Equality*, then they may lay them aside for *Convenience* too, and erect any other sort of Government they shall think fit. For whoever is entrusted with a Commission, is most certainly accountable for the Execution of it to those, from whom that Commission was receiv'd; and the *Potter* has Power over the Clay, and may mould it into what Form he pleases.

Dedicat. But pray, Sir, who of all that Venerable Body of Men, of which you think and speak with so much Deference, told you such an *Original* of Government? Not many I dare say. No, Sir, had you consulted the most learned and best of those worthy Gentlemen, they would have directed you to the *Laws of God* and of our *Country* for the *Original* of Sovereign Power; had you, who have so great a Veneration for the *Clergy* upon the Account of their *Order*, look'd into and believ'd that old inspir'd Book, which only can give Account of the *Original* of Government, you must have ac-

Gen. i. 26. knowledg'd *Adam* the first Sovereign, as
 4-7.
 9.
 10.
 11.
 well as the first Father, and that Sovereignty settl'd upon his Posterity in *Hereditary*
 Suc-

Succession by God himself ; you must have acknowledg'd also, That after the Flood, God gave the Dominion of the World to *Noah* and his three Sons, and afterwards divided that vast Empire into seventy Nations and seventy Languages, himself setting a Prince, a Grandson of *Noah*, over each Nation ; had you who are so wonderfully read in *Acts of Parliament* of Mushroom Growth, look'd back into our antient Constitution, you wou'd have found the *Laws of our Country* speaking the same Language with the *Laws of God*, asserting the Power of Princes to be of *Divine Original*, and That that Power did ever of Right belong to the next Heir in Proximity of Blood.

Eccles. 17.
15.

This is so plain, and of such vast Consequence to the Peace of this Kingdom, that I wonder how you, who pretend to believe *Revelation*, and to quote *Statutes*, can fall in with any other Scheme of Government. Where any of the wisest Heathens inspir'd ? Did they know the History of the Creation ? or the Institution of Civil Government ? Are *Hobbs*, *Lock*, *Hoadly*——preferable to the *Laws of God* and our *Country* ? Why then will you leave a certain Rule to follow the vain Fiction and deluded Imaginations of designing Men ? This is a fundamental Error amongst you, and upon this you build Castles in the Air to defend your false Notions of *Liberty*, and from
thence

thence you make frequent Sallys upon the Prerogative of the Crown: Sometimes making a Power coordinate with that, which the Law declares has no Power, and at others setting the People above their Prince, and asserting the most flagrant and nonsensical Contradiction, viz. a Power superior to the Supreme. This of Folly and Wickedness too.

p. 2. And this I shall make appear to you, according to your own Method, *from the Sense of the House of Parliament, in whose Resolutions, according to the different State of Things, the Condition of this Kingdom, by those who had the greatest Stakes in it, has been, from Time to Time, plainly, impartially, and pathetically expressed.*

The first Statute I shall produce, is that, where we first meet the Distinction between Kings *de Jure* and *de Facto*.

1 Edw. IV. C A P. I.

Which Acts done by Hen. IV. V. VI. or by others during their Reign shall continue good, and which not.

First, In eschewing Ambiguities and Diversities of Opinions, which may arise upon judicial Acts and Exemplifications of the same, made in the Time or Times of Hen. IV. Hen. V. his Son, or Hen. VI. his Son, late Kings of England, successively in Deed but not of Right: Our said Lord the King, by the Advice and Assent of the Lords Spiritual and Temporal, and
at

at the Request of the Commons in Parliament assembl'd, and by Authority of the same, hath declar'd—That all Fines or final Concoords made or levied on any Lands—And all judicial Acts—determin'd or commenc'd, not rebok'd—made or had in any Court or Courts of Record, or any other Court or Courts, in any of the Times of the pretended Reigns of the said late Kings in Dæd, but not of Right, shall be of the same Force as if the said Fines were commenc'd sued, had or determin'd in the Time of any King lawfully reigning in this Realm, obtaining the Crown of the same by just Title.

XVIII. Also whereas the said late pretended King Hen. VI. in Dæd and not of Right—by his Charter indented under the Seal of the Duchy of Lancaster seal'd, bearing Date the twentieth Day of March the twenty-fourth Year of his usurp'd Reign—

What I have now quoted, Sir, is sufficient to let you into the Nature of our *English* Constitution: The only Time to take a View of it being, when a *rightful King* is in Possession of the Crown; and such was *Edw. IV.* And you may observe the Sentiments of a truly Loyal Parliament, in four very remarkable Particulars. *First*, That the only Right to the Crown of *England* is

B

such

such a Right, as was that of *Edward IV.* and that was *Hereditary Right*. Secondly, That whatever King wanted such a Right, were only pretended Kings, Kings in *Deed* but not of *Right*. §. I. Thirdly, That pretended Kings, or Kings in *Deed* but not of *Right*, are *Usurpers*. §. XVIII. Fourthly, That the Laws of *Usurpers* are of no Force, as is plain from this whole Statute.

7 Hen. IV.
C. 11.

Thus, Sir, you see the *Hereditary Right* of the Crown asserted, and the act of Settlement, made in the Reign of *Hen. IV.* dropt without the least Notice; and that because, being directly contrary to the fundamental Constitution of this Kingdom, it was void and null in it self.

And who wou'd not have thought, after this, that the *Right* of our Princes had been sufficiently guarded? But *Rebellion* is as the Sin of *Witchcraft*, and that wicked Spirit broke loose again with so much Violence, that this unhappy Kingdom was never perfectly settl'd, till the jarring Interests of *York* and *Lancaster* were united in the Person of *Henry VIII.* And then you will find the *Right of Succession* declar'd, in the plainest and most pathetical Terms.

25 Hen. VIII. CAP. XXII.

In their humble wise shewn unto your Majesty, your most humble and obedient Subjects, the Lords Spiritual and Temporal, and Commons in this present Parliament assemb'd,

That

That since it is the natural Inclination of every Man gladly and willingly to provide for the Surety, both for his Title and Succession, altho' it only touch his own private Cause; We therefore (most Rightful and dreadful Sovereign) reckon our selves much more bounden to instant your Highness (altho' we doubt not your Princely Heart and Wisdom, mix'd with a natural Affection for the same) to foresee and provide for your lawful Succession and Heirs, upon which dependeth all our Joy and Wealth, in whom also is united and knit the only, meer, true Inheritance and Title of this Realm, without Contradiction: Wherefore we your most humble and obedient Subjects, calling to our Remembrance the great Divisions which in times past have been in this Realm, by Reason of several Titles pretended to the Imperial Crown of the same, which sometimes and for the most part ensued by Reason of Ambiguities and Doubts, then not so perfectly declar'd but that Men might upon froward Intent's expound them to every Man's sinister Appetite and Affection, after their Sense, contrary to the right Legality of the Succession and Posterity of the lawful Kings and Emperors of this Realm: Whereof hath ensued

great Effusion and Destruction of Man's Blood, as well of many of the Nobles, as of other Subjects, especially Inheritors in the same: And the greatest Occasion thereof hath been because no perfect and substantial Provision by Law hath been made within this Realm, when Doubts and Questions have been mov'd and propounded concerning the Certainty and Legality of the Succession and Possessory of the Crown; by Reason whereof the Bishop of Rome—contrary to the great and inviolable Grants of jurisdictions given immediately by God, to Emperors, Kings, and Princes, in Succession to their Heirs, hath presumed to Invest, who it should please them, to inherit in other Mens Kingdoms; which Thing we your most humble Subjects, both Spiritual and Temporal, do most abhor and detest: And sometimes other foreign Princes and Potentates — have — Supported wrong Titles, whereby they may the more easily Aspire to a Superiority over the same; The Continuance and Sufferance whereof deeply ponder'd and consider'd, were too dangerous to be any longer suffered within this Realm, and too much contrary to the Peace, Unity and Tranquility of the same, being greatly reprochable

proachable and dishonourable to the whole Realm.

II. In Consideration whereof your most humble and obedient Subjects, the Nobles and Commons of this Realm, calling to their further Remembrance that the good Unity, Peace and Wealth of this Realm, and the Succession of the Subjects of the same, most especially and principally above all other worldly Things consisteth and resteth in the Certainty and Surety of the Procreation and Posterity of your Highness, in whose most Royal Person at this Time is no manner of doubt or question, do most humbly beseech your Highness, that it may please your Majesty, that it may be enacted by your Highness with the assent of the Lords Spiritual and Temporal and Commons. —

VII. And be it enacted by the Authority aforesaid, that all the Issue had and procreate, or to be had and procreate between your Highness and your most dear and entirely beloved Wife Queen Anne, shall be your lawful Children — and Inherit, according to Course of Inheritance and Laws of this Realm, the imperial Crown of the same — in as large and ample manner as your Highness at present hath the same as King of this Realm

Realm, the Inheritance thereof to be and remain to your Children and right Heirs in manner and form as hereafter shall be declar'd,

VIII. That is to say, First, The said Imperial Crown—shall be to your Majesty, and to your Heirs of your Body lawfully begotten; That is to say, to the first Son of your Body between your Highness and your said—Queen Anne begotten, and to the Heirs of the Body of the said first Son lawfully begotten: And for default of such Heirs, then to the second Son of your Body and of the Body of the said Queen Anne begotten, and to the Heirs of the said Body of the second Son lawfully begotten: And so to every Son of your Body and of the Body of your said Queen Anne begotten, and to the Heirs of the Body of every such Son lawfully begotten, according to the Course of Inheritance, and Laws of this Realm in that behalf: And if it shall happen your said Queen Ann to decease without Male-Issue of the Body of your Highness to be begotten (which God defend) then the said Imperial Crown—to be to your Majesty, as is aforesaid, and to the first Son and Heir Male of your Body lawfully begotten, and to the Heirs of the Body of the same Son and Heir male lawfully

fully begotten; and for default of such Issue, then to the second Son of your Body lawfully begotten, and to the Heirs of the Body of the same second Son lawfully begotten, and so from Son and Heir Male to Son and Heir Male, and to the Heirs of the Body of every such Son and Heir Male to be begotten, according to the Course of Inheritance, in like manner and form as is above said. And for default of such Sons of your Body begotten, and of the Heirs of the several Bodies of such Sons lawfully begotten, that then the said Imperial Crown—shall be to the Issue Female of your Majesty and of your said—Queen Ann begotten: That is to say, first to the Eldest Issue Female, and to the Heirs of her Body lawfully begotten, and for default of such Issue, then to the second Issue Female, and to the Heirs of her Body lawfully begotten, and so from Issue Female to Issue Female, and to the Heirs of their Bodies, one after another, by Course of Inheritance, as the Crown of England hath been accustomed and ought to go, in Cases where there are Heirs Females to the same, and for default of such Issue, then the said Imperial Crown—shall be in the Right Heirs of your Highness for ever.

In this Statute, Sir, you see the Miserys the Nation labour'd under, thro' *disputed Titles*, Painted in the most melancholy and expressive Colours, and Recorded in the most pathetical and moving Language. Our Ancestors were as tender of their *Libertys* as we can be of ours, and they found by Experience, that the only Way to prevent 'em, was to secure the *lawful and right-ful* Descent of the Crown: And therefore they here declare, in the strongest Terms, these four Things. *First*, That all our Sovereign Power is deriv'd immediately by God himself upon Kings and Princes in Succession to their Heirs. §. I. *Secondly*, That the Sovereign Power so deriv'd from God, was without all Doubt or Question, in the Person of *Hen. VIII.* §. II. *Thirdly*, That the Sovereign Power, so in *Hen. VIII.* ought to descend to his lawful Heirs, Male and Female, for ever, according to the course of Inheritance and Laws of this Realm. §. VII, VIII. *Fourthly*, That all the Joy and Wealth of this Kingdom, depends upon keeping this Chain of the Succession intire. §. I, II.

There were two other Acts with some other Limitations, relating to the Succession pass'd in this Reign; but this so fully declaring how the Succession ever was, and ought to be (and indeed all such Acts do only declare where the Right is, not give it, and *Edward VI. Queen Mary,*
Queen

Queen *Elizabeth*, the King's Children, Male and Female, and King *James* I. for Default of their Issue, the next Heir, succeeding one another, as is here laid down, I omit them and proceed to,

I Mar. Sess. 2. CAP. IV.

Where it hath pleased Almighty God to call out of this transitory Life our Sovereign Lord King Edward the Sixth, by and immediately after whose Death, the Imperial Crown of this Realm did not only descend, remain and come unto our most dread, Sovereign Lady the Queen's Majesty but also then the same was immediately and lawfully invested, deem'd and adjudg'd in her Highness most Royal Person by the due Course of Inheritance, and by the Laws and Statutes of this Realm.

II. Nevertheless the same her Highness most lawful Possession was for a time disturb'd by the Trayterous Rebellion and Usurpation of the Lady Jane Dudley, otherwise call'd the Lady Jane Grey, during which Rebellion and Usurpation divers Estatutes, — were made and devis'd between and to sundry Subjects of this Realm, where upon divers doubts may arise: For the avoiding which Doubts —

III. Be it enacted that all Estatutes — made — under the Name of the Reign
C of

of any other Person, than under the Name of our Sovereign Lady the Queen, shall be as good in Law, as if the Name of our Lady the Queen's Majesty, with her Stile appropriate had been fully express'd.

From this Statute, Sir, you may observe the Opinion of the Legislature in this Reign in three particulars. *First*, That, upon the Death of a King or Queen, the Crown immediately descends to the next Heir in Proximity of Blood. §. I. *Secondly*, That Want of Possession does not take a Right. §. II. *Thirdly*, That a Rightful Prince being kept out of Possession, the Laws are suspended, and no Acts during that Time are of any Force.

The next Act I shall offer to your Consideration, is that for the Recognition of Queen *Elizabeth's* Title.

I Eliz. C A P. III.

As there is Nothing under God (most dread Sovereign Lady) we your most humble, faithful and obedient Subjects, the Lords Spiritual and Temporal, and the Commons in this present Parliament assembled, may have, or ought to have more cause to rejoyce than in this only, that it hath pleased Almighty God in his merciful Goodness towards us and this our Realm, not only to provide, but also
to

to preserve and keep for us and our
 Wealth your Majesty our most right-
 ful and lawful Sovereign leige Lady
 and Queen most happily to Reign over
 us; for the which we do give and yield
 unto him from the Bottom of our
 Hearts, our humble Thanks, Lauds
 and Praises; even so there is nothing
 that we your Subjects for our parts
 can, may or ought toward your High-
 ness more firmly, intirely, or assured-
 ly in the surety of our Hearts think,
 or with our Mouths declare and con-
 fess to be true, than that your Ma-
 jesty our most Sovereign Lady is and
 of most meet Right and in very Deed
 ought to be, by the Laws of God and
 the Laws and Statutes of this Realm
 our most Right and Lawful Sobe-
 reign leige Lady and Queen; and that
 your Highness is rightly, and lineally
 and lawfully descended and come of
 the Blood Royal of this Realm of Eng-
 land, in and to whose Princely Person
 and to the Heirs of your Body lawfully
 begotten, after you, without all
 doubt—the Imperial and Ryoal Estate
 —are and shall be most fully, right-
 fully and intirely inbested, as rightfu-
 ly and as lawfully, to all intents and
 purposes, as the same were in the late
 King Hen. VIII. or in the late King
 Edward VI. your Highness's Brother,

or in the late Queen Mary your Highness's Sister.

II. For which Causes we your said most loving, faithful and obedient Subjects, representing the three Estates of the Realm of England, as thereunto constrain'd by the Law of God and Man, — can no less do than beseech your Highness, that by Authority of this present Parliament it be enacted and declar'd, That we do recognize — the same — your Right, Title and Succession, as is aforesaid, to be in, and to your Highness, and to the Heirs of your Body to be begotten — and thereunto most humbly and faithfully we do submit our selves, our Heirs and Posterity for ever.

In this Recognition, Sir, you may observe the Parliament declaring, *First*, That the Right of Queen *Elizabeth* was a Divine Right. §. I. *Secondly*, That this Divine Right descends to her, as being the next immediate Heir of the Blood Royal. §. I. *Thirdly*, That all Posterity for ever, by the Laws of God and the Laws of the Land, ought to submit to those Princes, who have such a Right as Queen *Elizabeth* had. §. II.

The next Act I shall lay before you, is so very full and express, that I cannot forbear transcribing the greatest Part of it.

i Jacob. C A P. I.

A most joyful and just Recognition of the immediate, lawful and undoubted Succession, Descent and Right of the Crown.

Great and manifold were the Blessings (most dread and most gracious Sovereign) wherewith Almighty God bless'd this Kingdom — by the happy Union and Conjunction of the two Noble Houses of York and Lancaster, thereby preserving this Noble Realm, formerly torn and almost wast-ed with long and miserable Dissention and Blood by Civil War; but more inestimable and unspeakable Benefits are thereby pour'd upon us, because there is deriv'd and grown from and out of that Union of those two princely Houses a more famous Union (or rather reuniting) of two mighty famous and ancient Kingdoms (yet anciently but one) of England and Scotland under on Imperial Crown in your Royal Person, who is lineally, rightfully, and lawfully descended of the Body of the most excellent Lady Margaret, eldest Daughter of the most renowned King Henry VII. and the High and Noble Princess Queen Elizabeth his Wife, eldest Daughter of King Edward IV. the said Lady Margaret being eldest Sister to King Henry VIII.

VIII, Father of the High and mighty Princess Elizabeth, of famous Memory, late Queen of England.

II. In consideration whereof, albeit we your Majesties most loyal and obedient Subjects, of all Estates and Degrees, with all possible and public Joy and Acclamation, by open Proclamation within a few Hours after the Decease of our late Sovereign Queen, acknowledging thereby with one full Voice of Tongue and Heart, that your Majesty was our only rightfull leige Lord and Sovereign, by our unspeakable Joy and Applause at your Majestys happy Inauguration and Coronation, by the Affectionate desire of infinite numbers of us of all degrees to see your Royal Person, and by all possible outward means have endeavour'd to make Demonstration of our inward Love, Zeal and Devotion to your Majesty, our most undoubted, Rightful Sovereign Leige Lord and King: yet as we cannot do it too often or enough, so can there be no means or way so fit, both to sacrifice our unfeigned and hearty thanks to Almighty God for blessing us with a Sovereign adorn'd with the rarest Gifts of Mind and Body in such admirable Peace and Quietness, and upon the Knees of our Hearts, to agnize our
most

most constant Faith, Obedience and Loyalty to your Majesty and your Royal Progeny, as in his high Court of Parliament, where the whole body of the Realm, and every particular Member thereof, either in Person or by Representation (upon their own free Elections) are by the Laws of this Realm deem'd to be personally present.

IV. We therefore your most Dutiful and Loyal Subjects, the Lords Spiritual and Temporal, and the Commons in this present Parliament Assembled do from the Bottom of our Hearts yield to the divine Majesty all possible Thanks and Praises, not only for the inestimable and unspeakable Benefits abovemention'd; but further that he hath enrich'd your Highness with a more Royal Progeny, of rare and excellent Gifts and Forwardness, and in his Goodness is like to Increase the happy Number of 'em; and in most humble and lowly manner do beseech your Majesty, that (as a Memorial to all Posterity amongst the Records of your high Court of Parliament for ever to endure, of our Loyalty, obedience, hearty and humble affection) it may be publish'd and declar'd in this high Court of Parliament, and by the Authority of the same, that we (being bounden thereto by the Law of God and

May

Man) do recognize and acknowledge
 (and thereby expresse our unspeakable
 joys) that immediately upon the Dis-
 solution and Decease of Elizabeth late
 Queen of England, the imperial Crown
 of the Realm of England and of all the
 Kingdoms and Rights belonging to
 the same, did by inherent Birth-right
 and lawful and undoubted Successi-
 on, descend and come to your most ex-
 cellent Majesty, as being lineally, just-
 ly, and lawfully next and sole Heir, of
 the Blood Royal of this Realm, as is
 aforesaid, and by the goodness of God
 Almighty and lawful Right of Descent
 under one Imperial Crown your Ma-
 jesty is, of the Realms and Kingdoms
 of England, Scotland, France and Ireland
 the most potent and mighty King
 — And thereunto we do most hum-
 bly and faithfully oblige and submit
 our selves, our Heirs and Posterities,
 until the last drop of our Blood be spent:
 And do beseech your Majesty to accept
 the same as the first fruits of our Loy-
 alty to your Majesty, and your Proge-
 ny and Posterity forever: Which if your
 Majesty shall be pleas'd to adorn with
 your Royal Assent, without which it
 can neither be compleat or perfect, nor
 remain to all posterity according to our
 humble desire, we shall add this also
 to the rest of your Majesties unspeak-
 able and inestimable Benefits. In

In this Recognition, Sir, you see, the Dissentions between the Houses of *York* and *Lancaster*, and the bloody and fatal Consequences attending 'em, remain'd deeply impress'd upon the Minds of this Parliament, and with what grateful Hearts they express their Resentments upon the Deliverance from the Havok and Ruine of Civil Wars. You may see also, that, to prevent their falling into the like Miserys, thro' the Ambition of false Claimants and Pretenders to the Crown; they declare these three Things. *First*, That the Kings of *England* hold their Crown of God. *Secondly*, That they succeed to the Crown, so ~~field~~ of God; by *lineal Descent* and inherent *Birthright*. *Thirdly*, That no Law can be compleat or perfect without the Assent of a King so succeeding by *lineal Descent* and inherent *Birthright*. §. IV.

The next Reign, Sir; was all Storm and Tempest, a parcel of Men desperately wicked and harden'd in Impiety, broke down all the Bulwarks and Fences of Law, murder'd Royal Majesty in it self, and intirely subverted the Constitution. But remember, Sir, they went upon your Principles, and voted the People the Original of all just Power. I proceed therefore to the Reign of King *Charles II.*

Hist. of
Indep.

12 Car. II. C A P. XII.

XII. And altho in this Confirmation of judicial Proceedings; it was necessary to mention diverse Acts and Ordinances, by the Name and Styles, which those Persons then usurp'd, who took upon them to pass the same — yet this present Parliament doth declare, and it is further enacted by Authority of the same, That the Names and Stiles aforesaid, and every of them, are most rebellious, traitterous, wicked and abominable Usurpations, detested by this present Parliament, as opposite, in the highest Degree, to his Sacred Majesty's most undoubted Right, to whom, and to his Heirs and lawful Successors, the Imperial Crown of the Realms of England, Scotland, France and Ireland — do of Right appertain —

C A P. XIV.

Forasmuch as Almighty God the King of Kings, and sole disposer of all earthly Crowns and Kingdoms, hath by his allwaying Power and Providence demonstrated in view of all the World his transcendent Love, Mercy and Graciousness to his most excellent Majesty Charles II. by his especial Grace of England, Scotland, France and
Ireland,

Ireland, King Defender of the true
Faith, and all his Loyal Subjects of
this his Kingdom of England — by his
Majestys late most wonderful, glori-
ous, peaceable and joyful Restoration
to the actual Possession and Exercise
of his undoubted, Hereditary, Sove-
reign, and Regal Authority over
'em —

C A P. XXX.

— And be it hereby declar'd, that by
the undoubted and fundamental Laws
of this Kingdom, neither the Peers
of this Realm, nor the Commons, nor
both together in Parliament or out of
Parliament, nor the People represen-
tatively or collectively, nor any other
Person whatsoever had, or ought to
have any co-ercive Power over the
Persons of the Kings of this Realm.

13 Car. II. C A P. VI.

Forasmuch as within all his Ma-
jesty's Realms and Dominions the
sole supreme Government, Command
and Disposition of the Militia, and of
all Forces by Sea and Land, and of
all Forts and Places of Strength is,
and by the Laws of England ever was
the undoubted Right of his Majesty,
and his Royal Predecessors, Kings
and Queens of England.

Meet. 2d. CHAP. I.

V. I A. B. do declare and believe, that it is not lawful upon any Pretence whatsoever to take up Arms against the King——
So help me God.

VI. I A. B. do declare, that I hold there lyes no Obligation upon me, nor upon any other Person, from the Oath commonly call'd **The Solemn League and Covenant**, and that the same was in it self an unlawful Oath, and impos'd upon the Subjects of this Realm against the known Laws and Libertys of this Kingdom.

No sooner, Sir, was this Kingdom recover'd from those Miserys in which it was involv'd by the *Rebellion*; but the Parliament declar'd, as the only way to prevent such Evils for the future, these following Particulars. *First*, That all Sovereign Authority is deriv'd from God, the sole disposer of all earthly Crowns and Kingdoms. CAP. XIV. *Secondly*, That this Sovereign Authority, so deriv'd of God, descends by *Hereditary Right*. *ibid*. *Thirdly*, That no Person may exercise Sovereign Authority within this Realm, but he who is possess'd of it by *Hereditary Right*. 12 Car. II. CAP. XII. *Fourthly*, That whoever is possess'd of Sovereign Authority by such a Right, is not accountable for the Administration thereof to any Power upon Earth.

CAP.

C A P. XXX. *Fifthly*, That to prevent his being call'd to Account, all the whole Force of the Kingdom, by Sea and Land, and all Places of Strength are at the sole Command and Disposal of the King. 13 Car. II.

C A P. VI. *Sixthly*, That for a further Secutity of the King's Person, none shall be admitted to Places of Trust, but such who will swear they believe, That it is not lawful to resist the King upon any Pretence whatsoever. Meet. 2. CHAP. I. §. V. And *lastly*, That whatever Oath is prejudicial to the Interest of a *rightful* King, is unlawful in it self, and of no Obligation, as being contrary to the known Laws of this Kingdom. *ibid.* §. VI.

These Quotations, Sir, out of the great Statute Book, I thought my self oblig'd to lay before you, out of that great Regard I have for you, as a Fellow-Christian, and Fellow-Subject, tho' mistaken. And I am perswaded, that you, who distinguish so well upon other Occasions, must see, by this Time, the Folly and Wickedness of raising Government upon any other Foundation, than what is already laid in the Laws of our Country: Since it plainly appears from them, That the Power of Kings is of Divine Original, and that That Power did ever of Right belong to the next Heir in Proximity of Blood.

Thus the Laws stood at the Time of the *Revolution*, I am sure; With what Face then

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then can you talk so much and so often, of the glorious Instrument of Providence, the great and memorable King *William*! the glorious Deliverer, the immortal King *William*! the great Prince! that great Benefactor of Mankind! when he was a notorious Invader of the Liberty and Property of the Subjects, and Usurpation, Tyranny, and actual Murder in Cold Blood filling the Character of your Hero? Come, Sir, I appeal to your own Honour and Conscience, whether the deposing King *James*, who was rightful and lawful King of this Realm, and who accordingly had the Oath of Allegiance sworn to him, was not breaking thro' all the Obligations that Men could possibly be bound with, either by Law or Conscience? Whether the making *William* and *Mary* King and Queen of *England*, was not contrary to all the then known Laws of this Kingdom? and whether the setting aside so many Branches of the Royal Family, to make way for the House of *Hanover*, be not a direct Subversion of our ancient Constitution, and turning an *Hereditary* Monarchy into an *Elective*.

You *Whigs* indeed have been Gainers by this Change; but especially in that near Approach you have made to a *Common-Wealth*, 'tis but one Step more, and the Business is done. But I appeal to you once more before that Time comes, whether, if there
were

were no Law in being by which the *Revolution* could be justify'd at the Time it was brought about, any made since be able to support the Consequences of it? Whether the *Essential Part* of the Legislative Power, has not been wanting these five and twenty Years? And, if it has, whether the Succession does not now stand upon the same Foot it did before the *Revolution*.

And what Answer do you make to all this? Why you tell us we are hemm'd in with *Solemn Barriers of Laws and Oaths, of Policy and Religion*. But this is all *Gasconade*! As if we were still to be frighted with Obligations which are of no Force, and to believe the only Way to Secure our Libertys is to Sacrifice the Constitution; and, to carry on the Jest, we were to swallow the deposing Doctrine to keep out *Popery*, and do the Drudgery of *Jesuits* for the Preservation of the *Protestant Religion*.

But I shall consider your *Solemn Barriers*. And, *First*, For your Laws. That there were, what you call, *Acts of Parliament* made to confirm the Proceedings at, and since the Revolution, I do not deny; but the *Authority* of 'em I ever must, and shall deny: And that because no *Acts of Parliament* can be compleat or perfect without the *King's Assent*. 1 Jacob. I. CAP. I. §. IV. You, perhaps, will say, Those Acts were made with the Assent of a King; but I say, that King was only a pretended King

King, a King *de Facto*, and Kings *de Facto* are Usurpers, and the Laws of Usurpers are of no Force. 1 *Edw. IV. CAP. I. §. I, XVIII.* 1 *Mar. Sess. 2. CAP. IV.* 12 *Car. II. CAP. XII.* Nay further, so far are any *Acts* from being good against a rightful King, tho' out of Possession, that it was resolv'd by all the Judges, upon the Case of the Regicides, that tho' King *Charles II.* was *de Facto* kept out of the Kingly Office by Traitors and Rebels ; yet he was King both *de Facto* and *de Jure*. And all Acts which were done to the Keeping him out were *High-Treason*. *Keling's Rep. p. 15.*

At the *Revolution* indeed, I and many others, voted for some honest Gentlemen to represent our Affections, and pay our Duty to our unfortunate Prince ; not to *depose* him : neither did they consent to it. But if a Majority exceeded the Bounds of their Trust, and made a Complement, as the People of *England*, of what the People of *England* never had in their Power to give, and the Prince of *Orange* excepted from them, what they neither had in themselves, nor cou'd confer upon him ; if the *Convention* wou'd pretend to mould a *Dutch Prince* into an *English King*, and that King by the same Rule of Justice and Gratitude, wou'd transform the *Convention* into a *Parliament* ; and both together, by Virtue of this *Hocus Pocus*, wou'd presume to make Laws, contrary to the Rights of the Imperial Crown
of

of this Realm, are we bound by 'em? No certainly; and that because no Laws are binding, but those made by a lawful Power. Nay, if the Opinion of the twelve Judges be of any Authority, all Laws made to keep out the *King* are Treason, and those, who conform themselves to 'em are Traitors.

St. Paul tells us, *Rom. 13.* That the Duty of Obedience arises from the Right of Jurisdiction in Governors. Wherefore, says he, *ye must needs be subject, not only for Wrath, but also for Conscience sake.* That is, not only from Fear of their Power to Punish, but in Consideration of their Right to Govern. But pray Sir, what Right had the Prince of *Orange* to Govern in these Kingdoms? The Law of *England* knows no Right but *Hereditary* Right; and that was far enough from him. In short, That Prince was without Authority in this Kingdom, and no more than a private Man, and therefore had no Power to summons Parliaments, or make Laws: and tho' he assumed such a Power, yet that Power being illegal can never warrant my doing that now by Virtue of his Laws, which was unlawful for me to do before; the Seal of rightful Authority being wanting. But,

Secondly, For your Oaths. Whatever Oath is destructive of the Right of a lawful Prince, is unlawful in it-self, and of no Obligation, by 13 *Car. II. CAP. I. §. VI.* But I shall only take Notice of the *Abjura-*

tion, that being your strongest *Barrier*. This Oath, Sir, is partly *Affertory*, and partly *Promissory*. In the *affertory* Part it is said, That King *William* is Lawful and Rightful King of this Realm, and that the Person pretending to be King of this Realm by the Name of *James III.* hath not any Right or Title to the same——Then follows the Abjuration and Promise of bearing Faith and true Allegiance to King *William*, and so on to the House of *Hanover*. But, Sir, if the *affertory* Part be false, what becomes of the Obligation of the Promise? and that the *affertory* Part is false, is plain; *First*, Because King *William* having not that Right to the Crown, which the Law declares to be of the Essence of the Constitution. 1. *Edw. IV. CAP. 1. 25 Hen. VIII. CAP. XXII. 1 Mar. Sess. 2. CAP. IV. 1 Eliz. CAP. 1. 1 Jacob. CAP. XII. Car. II. CAP. XII. §. XII. CAP. XIV.* and therefore he was not lawful and rightful King of this Realm. And *Secondly*, Because the sole inherent Birthright, by which alone a Prince can lawfully be possess'd of the Crown, is in King *James III.* As shall be made appear, whenever the Parliament, in their great Wisdom, shall see the Times ripe for the Reception of so Important an Affair.

In the mean Time, Sir, we may consider, there are three Things especially requir'd in a promissory Oath, without which it cannot be obligatory. *First*, That the Persons
im.

imposing the Oath have a Right to impose it. *Secondly*, That the Person taking the Oath be *sui juris*, have a Right to take it. *Thirdly*, That the Matter of the Oath be lawful in it self.

First, That the Person imposing the Oath have a Right to impose it. The Person imposing the *Abjuration*, was the late King *William*, the Right he had to impose it was founded on no Law; but was wholly owing to Usurpation and Violence; and therefore that Oath is of no Force; because that Prince had no Right to impose it.

Secondly, That the Person taking the Oath be *sui juris*, have a Right to take it. For whoever is subject to the Power of another, has no Right to take a promissory Oath without the Consent of his Superior; or if he does take it without his Consent, he cannot be bound by it. And the Reason is plain; because if such promissory Oaths were Obligatory, they wou'd not only bind the Jurors, but an innocent third Person, in Prejudice to his Rights, and without his Consent. The Case is clear under the Law. Numb 20. What then shall we say to the *Abjuration*? all those who have taken it were under the Power of King *James II.* ow'd him Allegiance by the Law of Nature, the Law of God and the Law of the Land, and by the same Laws were bound to his Heirs and lawful Successors; they having no Right there.

therefore to take that Oath, neither can they be bound by it. Nay, they are oblig'd not to perform the Promise made in that Oath; because such Performance will add Injustice to Perjury, and inflame the Account with the horrid Aggravation of Obstinacy and Impenitence.

Thirdly, The Matter of a promissory Oath must be lawful in it self. For an Oath is not the Bond of Iniquity, nor can a Man be oblig'd to do what is sinful upon any Pretence whatsoever, and therefore if, after we have sworn, we find the Matter we had oblig'd our selves to, to be unlawful, we are then under no Obligations to perform it. Now there is nothing more plainly declar'd in our Law Books, than that the sole Right to the Crown of England is *Hereditary Right*; and that according to Proximity of Blood: and therefore whatever Oath destroys that Right, cannot be obligatory. But the *Abjuration* does not only destroy the Right of the next immediate Heir, but sets aside a great Number of the Royal Family, and transfers our Allegiance to a remote Branch of it, where, in all Probability, it never can be due: it does not only void and null all our Laws, which declare for *Hereditary Monarchy*, but makes us guilty of Robbery and Injustice, in forceably taking away the Right of our Leige Lord. And is not the Matter of this Oath unlawful? And if it be, does not the Obligation cease?

cease? Thanks be to God, I who have taken it, think so.

Thirdly, I am to consider your *Barrier of Policy*. It was the Opinion of a Parliament, That all the Joy and Wealth, the Peace, Unity, and Success of this Realm, depended upon the Preservation of the *Succession*, according to the course of Inheritance. 25 *Hen. VIII. CAP. XXII. §. I, II.* And I must tell you, Sir, it is much better, even in point of Policy, to restore to *Cæsar the Things that are Cæsar's*, than to entail disputed Titles, and eternal Wars upon Posterity. We have not yet forgot what vast Quantities of Blood and Treasure the Quarrels between the Houses of *York* and *Lancaster* stobd this Nation in; and we sensibly feel the sad effects of supporting the late Prince of *Orange's* Pretensions; Posterity will be little oblig'd to us for that heavy Load of Debts, we shall leave for them to discharge; but if to the Misery of an empty Pocket, we add the Plague of a Domestick War, they may Curse the Time, that ever *Whigs* and *Republicans* had the Administration of Affairs in this Kingdom.

As sanguine as you are, Sir, you can never imagine that all the excluded Princes, or any one of 'em, will set down by your *Act of Settlement*. No, Sir, they are related to the greatest, and may expect the Assistance of all the Powers of *Europe*. The Case of one injur'd Prince, may, in Time, be consider'd as the Case of all, and no Doubt but when the Affairs of *Europe* are a little settl'd, they will readily espouse so just an Interest.

This is what you insinuate, Sir, and if it shou'd happen so (as we have some Reason to hope it will) what have you to oppose to such prodigious Strength? Does your only preservation lie in the *Laws* relating to the *Settlement*? Poor Defence against the King of *Sicily*, the most powerful Prince in *Italy*! Poor Defence against the House of *Bourbon* in Possession of *France* and *Spain*, and in Peace and good Understanding with *Germany*! Poor Defence against the united Force of *Power* and *Right*! Bless us all! what a Storm have you rais'd, which is like to end in everlasting Calm and Sunshine!

Well, Sir, the *Grand Alliance* is form'd abroad: How are you provided upon an Attack, at Home? Have you nothing to defend you but your *Act of Settlement*? No verily.

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verily. *Whiggism* it self, is thought no more than a Romantick Heat of Brain; the *Succession* in the House of *Hanover* is struck at, and nobody minds it; somebody have publish'd *Queries* about the Birth of a certain Person, and everybody knows who that certain Person is, and is satisfy'd about his Birth; and which is worst of all, the *Queen* her self, who is, and is allow'd to be, the best of Christians, is suspected to have some natural Affection for her Brother. Now, Sir, I wou'd know, how a wise Man shou'd act in the Midst of all these Terrors? Do you love Honour, Justice, the present Peace and future Happiness of your Country? send to the King, saying, *return thou and all thy Servants.* Do you love your self? it is much more politick (when all Things so apparently concur in a *Restoration*, as you say they do), to submit in Time, and make a Merit of your Repentance, than to stand out upon Airs, and suffer by Obstinacy.

Fourthly, I am to consider the Point of Religion; which you think wou'd be endanger'd by the Succession of *James III.* And therefore you say very handsomely, *The Conversion of the Pretender to our Religion, hath been occasionally reported and contradicted, according to the Reception it met with among the soft Fools*—But I say, better be a soft Fool than a harden'd Whig. Nor is the Difficulty of believing this Matter so great as you wou'd represent it. For if we consider that Prince as brought up in the *Gallican Church*, and that the *Gallican Church* rejects those two fundamental Errors of *Rome*, viz. the *Supremacy* and *Infallibility* of the *Pope*; he can allow no Judge of Controversy but the Holy Scripture, nor admit any Doctrine as an Article of Faith, but what may be prov'd from thence: And then I cannot see (upon sober Reasoning with Learned Men, and serious consideration with himself) what shou'd hinder his giving up the inferior Trumpery of *Worshipping Images, Invocation of Saints, Adoration of the Host, Purgatory*—Whenever therefore we shall know that Prince's Mind upon this Subject, from good Hands, I shall readily believe him a Convert, and bless God for his Conversion.

But suppose he remains a *Papist*; consider how he came to be so. Was it not owing to the first great Rebellion, when his Grandfather, of blessed Memory, was Murder'd,

Murder'd, and his Royal Father Young and Tender in the Hands of a Popish Mother, forc'd to beg his Bread the first time in a foreign Land? Was it not the hard Fate of this very Young Prince to be the Partner of his unhappy Father's second Misfortunes? to fly with him for Protection to the Courts of France, and there to be brought up in a *foreign Religion*? But had he any *Choice* in this? cou'd he help his *Education*? And shall he suffer for that which is only his Misfortune? and when that Misfortune is owing to the Fault of others? Where's the Justice of such a Proceeding?

Whatever his Religion be, ours will be safe under the Guard of Divine Providence, if we trust to that. But then there is no hopes of Protection without *Obedience* to God's *Will*, and God's *Will* is, that *we be subject to the higher Powers*. Almighty God preserv'd his Church in its Infancy against all the Powers of the World, he has brought it up to that Fullness of Statute in which we now see it, and he has promis'd to be with it always, and the Gates of Hell shall not prevail against it. To distrust his Care after this, is to affront his Power and Wisdom, his Goodness and Veracity. And yet, we are to remember, that God will preserve his Church in his own Way, that is, so long as he observes those Laws, which he has given her for her Conduct. But if Men pretend to be wiser than God, to take their Cause out of his Hand into their own, and to work by such Rules as he has no where laid down; no Wonder if they thrive accordingly. *Obedience to Princes* is one of the greatest Dutys of Christianity, and therefore we can never hope for the Favour of God, so long as we continue our Rebellion against his Vicegerent. Religion never was, never can be preserv'd by such Methods: No, it now bleeds at those Wounds it has receiv'd from the Hands of *Faction*; and to support a vile Interest we are divided, and subdivided into all the wild *Sects*, that the Fancy of Man, or the Malice of the Devil can invent. To this wretched Cause we owe all that *Atheism*, *Deism*, *Socinianism*, *Freethinking*, *Immorality*, and *Prophaness*, which is now so rife among us, and which has been growing upon us ever since the *Revolution*: And there is no Way to extirpate our selves out of these Difficulties, but by *rendering to Cæsar, first, the Things that are Cæsar's, and then*

then we shall be able to give unto God the Things that are God's.

And now, Sir, having shewn you the *Weakness* of your *Solemn Barriers*, let me perswade you to look into your self, and to consider upon what Motive you wrote your *Crisis*: see whether no latent Passion, no sordid Interest was the Cause of it. You have publish'd some fine Things upon the *Immortality of the Soul*: I hope you believe the Doctrine. If you do, you must believe there is a Time coming, when you must account for this very *Crisis*, to a just and holy God, and that it is of the last Consequence to compare it with the great Standard of Right, the Law, that you may repent of here, or be able to justify it hereafter. If you are not a *Mercenary*, a small Matter of Application will set a Man of your Sense right; but if you have enter'd the Service merely for Pay, remember the *Wages of Sin is Death*. I am,

SIR,

Your humble Servant,

Dengy, April 17. 1714.

Philo Basilus.

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POSTSCRIPT.

I Am just now inform'd the *Emperor*, *France*, *Spain*, *Savoy*, the *Electors of Cologne*, *Bavaria*, *Palatine*, have made an Alliance offensive and defensive. Pray what News from your Guarantees?

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